

AMENDED IN ASSEMBLY JANUARY 4, 2010

AMENDED IN ASSEMBLY MARCH 23, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 284**

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**Introduced by Assembly Member Garrick**

February 12, 2009

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An act to add Section 47605.9 to the Education Code, relating to charter schools.

### LEGISLATIVE COUNSEL'S DIGEST

AB 284, as amended, Garrick. Charter schools: petitions.

The Charter Schools Act of 1992 permits teachers and parents to petition the governing board of a school district to approve a charter school to operate independently from the existing school district structure as a method of accomplishing, among other things, improved pupil learning. A charter petition is required to be signed by a specified number of teachers or parents who are meaningfully interested in either enrolling their children in the school or teaching at the school.

If a school district denies a petition, the petitioners may submit the petition to the county board of education. If a county board of education denies a petition, the petitioners may submit the petition to the State Board of Education, which may designate its supervisorial and oversight responsibilities for a charter school it approves to any local educational agency in the county in which the charter school is located or to the governing board of the school district that first denied the petition.

A county board of education is authorized to grant a charter petition submitted directly to it for a countywide charter school. In addition, a petition for the operation of a statewide charter school that will provide

instructional services of statewide benefit may be submitted directly to the state board, in which case the state board may enter into an agreement with a 3rd party to oversee, monitor, and report on the operations of the state charter school.

This bill would authorize a petition to establish a charter school to be submitted for approval to ~~the president of a campus of the California State University~~ or the governing board of a community college district if the petition proposes the operation of a charter school within the county in which the ~~university or~~ community college *district* maintains a campus. The ~~president of a campus of the California State University~~ and the governing board of a community college district would be authorized to grant a petition submitted to it for approval. The ~~president of a campus of the California State University~~ and the governing board of a community college district that grants a charter petition would be required to assume all of the duties, responsibilities, functions, and obligations that the governing board of a school district assumes when it grants a charter petition. A charter school established as specified in the bill would be required to receive the state aid portion of the charter school's total general-purpose entitlement, categorical block grant, other state and federal categorical aid, and lottery funds directly. *The governing board of a community college district would be required to inform the state board if it elected to accept petitions for charter schools. The bill would require the state board to limit the number of charter schools established pursuant to these provisions to 10 schools. The bill would require the State Department of Education, by January 1, 2013, to prepare an analysis of the efficacy of community college districts approving charter school petitions.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 47605.9 is added to the Education Code,
- 2 to read:
- 3 47605.9. (a) A petition to establish a charter school may be
- 4 submitted for approval to ~~the president of a campus of the~~
- 5 ~~California State University~~ or the governing board of a community
- 6 college district if the petition proposes the operation of a charter
- 7 school within the county in which the ~~university or college~~ *district*
- 8 maintains a campus. The ~~president of a campus of the California~~

1 ~~State University and the~~ governing board of a community college  
2 district may grant a petition submitted for approval pursuant to  
3 this section.

4 (b) ~~The president of a campus of the California State University~~  
5 ~~and the~~ governing board of a community college district that grants  
6 a charter petition shall assume all of the duties, responsibilities,  
7 functions, and obligations that the governing board of a school  
8 district assumes when it grants a charter petition.

9 (c) Notwithstanding *subdivision (a) of Section 47651*, a charter  
10 school established pursuant to this section shall receive the state  
11 aid portion of the charter school's total general-purpose entitlement,  
12 categorical block grant, other state and federal categorical aid, and  
13 lottery funds directly. Warrants for a charter school established  
14 pursuant to this section shall be drawn as specified in paragraph  
15 (1) of subdivision (a) of Section 47651. The notification  
16 requirement specified in subdivision (b) of Section 47651 shall be  
17 given by a charter school established pursuant to this section to  
18 the county superintendent of schools of the county in which the  
19 charter school operates.

20 (d) *The governing board of a community college district that*  
21 *elects to accept a petition for a charter school shall inform the*  
22 *state board each time it accepts a petition. Once the state board*  
23 *receives notices from community college districts indicating that*  
24 *10 charter school petitions have been accepted, the state board*  
25 *shall inform the California Community Colleges that no community*  
26 *college district is authorized to accept any additional petitions for*  
27 *a charter school.*

28 (e) *No later than January 1, 2013, the department shall prepare*  
29 *an analysis of the efficacy of community college districts approving*  
30 *petitions for charter schools. The analysis shall be provided to the*  
31 *state board, the Governor, the Chancellor of the California*  
32 *Community Colleges, the Senate Committee on Education, and*  
33 *the Assembly Committee on Education.*